

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO.: 3:19-cv-00189-FDW-DCK

DANIEL C. FLINT,

Plaintiff,

vs.

ALLY FINANCIAL, INC.,
a Delaware Corporation,
UAR NATIONAL SERVICES, LLC, a
Tennessee Limited Liability Corporation, and
ASSOCIATES ASSET RECOVERY, LLC
a South Carolina Limited Liability Company,

Defendants.

**DEFENDANT UAR
NATIONAL SERVICES, LLC'S
RESPONSE TO DEFENDANT ALLY
FINANCIAL, INC.'S RESPONSE IN
OPPOSITION TO MOTION TO
STRIKE CLASS ALLEGATIONS**

Defendant UAR National Services, LLC (“UAR”) hereby responds to Defendant Ally Financial, Inc. (“Ally”)’s Response in Opposition to Plaintiff’s Motion to Strike (hereinafter, “Ally’s Opposition to MTS”). [DE 33]. Plaintiff filed his Motion to Strike [DE 30] seeking to strike the defendants’ motions to strike the class allegations of the First Amended Complaint (collectively, “Defendants’ Motions”). [DE 18, DE 22, and DE 24]. UAR agrees with, joins, and incorporates by reference herein, Ally’s Opposition to MTS and the exhibits attached thereto.

Specifically, and as discussed in further detail in Ally’s Opposition to MTS, UAR agrees that only the final argument in Defendants’ Motions is premised on Plaintiff being found guilty of a felony, thus the other primary arguments made in Defendants’ Motions have nothing to do with Plaintiff’s ongoing criminal case and do not “pervade” Defendants’ Motions as stated in Plaintiff’s Motion to Strike. Further, for reasons detailed in Ally’s Opposition to MTS, if the Court is inclined to grant Plaintiff relief then Defendants’ Motions should be stayed pending a ruling on Plaintiff’s Petition in the criminal matter.

Accordingly, UAR respectfully requests the Court deny Plaintiff's Motion to Strike or, alternatively, enter an Order staying Defendants' Motions until a ruling is made on Plaintiff's Petition in the criminal matter.

WORD COUNT CERTIFICATION

Pursuant to this Court's Initial Scheduling Order, the undersigned hereby certifies that the word count for this Response, not including the caption, signature block, and this certification, is 209 words.

Respectfully submitted this the ____ day of September, 2019.

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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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